

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

WILBERT PETERSON	§	
VS.	§	CIVIL ACTION NO. 1:06cv643
LOIS M. RICE, ET AL	§	

MEMORANDUM OPINION AND ORDER

Plaintiff Wilbert Peterson, proceeding *pro se*, filed this civil rights lawsuit.

Procedural Background

On November 2, 2007, the court entered an order directing plaintiff to file a supplemental pleading providing additional information in support of his complaint. Plaintiff was given twenty (20) days to comply with the court's order. Plaintiff has not complied with the order or otherwise contacted the court.

Discussion

Federal Rule of Civil Procedure 41(b) authorizes a district court to dismiss an action for failure to prosecute or for failure to comply with any court order. *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998). "This authority [under Rule 41(b)] flows from the court's inherent power to control its docket and prevent undue delays in the disposition of pending cases." *Boudwin v.*

Graystone Insurance Co., Ltd., 756 F.2d 399, 401 (5th Cir. 1985) (citing *Link v. Wabash, R.R. Co.*, 370 U.S. 626, 629 (1962)).

By failing to comply with the order described above, plaintiff has failed to diligently prosecute this case. As a result, this case should be dismissed for want of prosecution.

Conclusion

For the reasons set forth above, this case will be dismissed without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). A final judgment shall be entered in accordance with this memorandum opinion.

SIGNED this the **19** day of **December, 2007**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge